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DREIER LLP
499 PARK AVE
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EXAMINER

FRINK, JOHN MOORE

ART UNIT	PAPER NUMBER
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2142

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11/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/695,216

Applicant(s)

LAUCKHART ET AL.

Examiner

John M. Frink

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 10/30/2007 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because item 14 on pg. 31, item 27 on pg. 37, items 28, 35 37 and 38 on pg. 38, etc., fail to provide any indication of a publication date, as required by 37 CFR 1.98 (b) (5). It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 2, 4 – 10, 14, 15, 18 – 21, 23, 25, 32, 35, 55, 56, 58- 61, 63 – 66, 68 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bull et al.

(5,995,943) hereafter Bull, in view of McCallum (5,784,635), further in view of Plasek et al. (5,878,426), hereafter Plasek.

3. Regarding claims 1, 25, 55, 50 and 65, Bull shows a system, method, and a computer readable medium, comprising instructions or steps for estimating the prevalence of digital content on a network, including a network server, a memory device, a processor communicating with said memory device (col. 7 lines 10 – 30), an estimating device that receives traffic data collected from the network (col. 3 lines 27 – 65),

a sampling device that stores summarization data that describes each occurrence of the digital content in the clean traffic data,

and an accessing device that presents the clean traffic data and the summarization data to the user (col. 3 lines 64 – 65, col. 7 lines 45 – 48, col. 10 lines 23 – 26).

Bull does not show an anonymizing device that locates user identification data in the traffic data, masks the user identification data to produce clean traffic data, and stores the clean traffic data.

McCallum shows an anonymizing device that locates user identification data in the traffic data, masks the user identification data to produce clean traffic data, and stores the clean traffic data (Figs. 1 and 4, col. 5 lines 58 – 63, col. 8 lines 28 – 35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull with that of McCallum in order to leverage the advantages of fast and reliable digital data storage, thus reducing costs, while ensuring

that sensitive, confidential data can be maintained as such (McCallum col. 2 lines 15 – 62).

Bull in view of McCallum do not show scaling said content by a weighting factor to extrapolate global traffic data.

Plasek shows scaling content by a weighting factor to extrapolate global traffic data (col. 4 line 12 – col. 5 line 18, Fig. 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum with that of Plasek in order to provide for quickly and expensively calculating aggregate data utilizing sample data, thus expediting database queries (Plasek, col. 1 lines 53 – 68, col. 4 lines 12 – 55).

4. Regarding claims 2, 56, 61 and 66 Bull in view of McCallum and Plasek further show where the estimating devices receives the traffic data from at least one proxy cache server (Bull, col. 1 lines 47 – 50, col. 3 lines 8 – 11, col. 7 lines 12 - 13).

5. Regarding claims 4, 58, 63 and 68 Bull in view of McCallum and Plasek further show a prober that fetches a web page from the network, an extractor that locates fragments of the web page that includes digital content, and a classifier that performs a structural analysis of the fragment to classify the digital content (Bull, col. 8 lines 38 – 41, col. 11 lines 60 – 64).

6. Regarding claims 5, 59, 64 and 69 Bull in view of McCallum and Plasek further show generating a report when the clean traffic data or the summarization data satisfy at least one criterion (Bull, col. 8 lines 5 – 6 and lines 15 – 17, col. 10 lines 24 – 26).

7. Regarding claim 6, Bull in view of McCallum and Plasek further show estimating the global traffic to at least one website on the network to provide traffic data (Plasek, col. 4 line 12 – col. 4 line 18; Bull, Fig. 7, col. 3 lines 45 – 65, col. 4 lines 40 – 45, col. 8 line 28 – 32)

locating user identification data in the traffic data, masking the user identification data to produce clean traffic data (McCallum, Figs. 1 and 4, col. 5 lines 57 – 63, col. 8 lines 28 – 35)

8. statistically sampling the contents of at least one website to provide sampling data including scaling the data by a weighting factor to extrapolate global traffic data, Plasek, col. 4 line 12 – col. 4 line 18; Bull, Fig. 7, col. 3 lines 45 – 65, col. 4 lines 40 – 45, col. 8 line 28 – 32)

storing the clean traffic data and the sampling data, and accessing the clean traffic data and the sampling data to generate a report (Plasek, Figs. 1, 8, col. 5 lines 1 – 28, Bull, col. 3 lines 64 – 65, col. 7 lines 45 – 48, col. 10 lines 23 – 26).

9. Regarding claim 7, Bull in view of McCallum and Plasek further show a database, a traffic analysis system that receives traffic data from a traffic sampling system, locates user identification data in the traffic data, masks the user identification data to produce clean traffic data, and stores the clean traffic data in the database, the traffic data including said at least one uniform resource locator (McCallum, Figs. 1 and 4, col. 5 lines 57 – 63, col. 8 lines 28 – 35; Plasek, Figs. 1 and 8; Bull col. 3 lines 27 – 65);

a digital content sampling system that stores the digital content at said at least one uniform resource locator in the database (Bull, col. 3 lines 64 – 65, col. 7 lines 45 – 48, col. 10 lines 23 – 26), and

a statistical summarization system that stores the summarization data that describes the digital content the database including scaling the data by a weighting factor to extrapolate global traffic data (McCallum, Figs. 1 and 4, col. 5 lines 57 – 63, col. 8 lines 28 – 35, Plasek, Figs. 1 and 8, Bull col. 1 lines 47 – 50, col. 3 lines 8 – 11, col. 7 lines 12 – 13).

10. Regarding claim 8, Bull in view of McCallum and Plasek further show a web front end that connects to the network and the database, wherein a client users a browser to connect to the web front end (Bull col. 9 lines 4 – 5, col. 8 lines 59 – 61).

11. Regarding claim 9, Bull in view of McCallum and Plasek further show a user interface that an account manager, an operator or a media editor can use to administer the system (col. 8 lines 43 – 48).

12. Regarding claim 10, Bull in view of McCallum and Plasek further show where the network is the Internet and wherein the network site is a web site (col. 8 lines 59 – 61, col. 9 lines 4 – 5).

13. Regarding claim 14, Bull in view of McCallum and Plasek further show a probemapping system that uses the summarization data to create a probe map for the network, the probe map including a mapping for said at least one uniform resource locator (Bull, col. 1 lines 7 – 59, col.8 lines 3 – 45);

a uniform resource locator retrieval system that retrieves said at least one uniform resource locator from the network server, a browser emulation environment that conducts a simulation of the display of said at least one uniform resource locator in a browser, a digital content extractor that stores the digital content from at least said one uniform resource locator in the database (Bull, col. 4 lines 49 – 63), and

a structural classifier that stores at least one classification type for the digital content in the database (Bull, col. 4 lines 50 – 59).

14. Regarding claim 15, Bull in view of McCallum and Plasek further show a probability that at least one uniform resource location will be sampled, and a scale that determines the contribution of said at least one uniform resource location to the summarization data (col. 14 lines 20 – 27, col. 15 line 53 – col. 16 line 8).

15. Regarding claim 18, Bull in view of McCallum and Plasek further show where the simulation includes executing dynamic content in said at least one uniform resource locator (Bull col. 15 lines 1 – 3).

16. Regarding claim 19, Bull in view of McCallum and Plasek further show where the dynamic content is an interlaced GIF, an MPEG movie or an MP3 audio file (col. 15 lines 1 – 3).

17. Regarding claim 20, Bull in view of McCallum and Plasek further show where the digital content extractor retrieves the digital content from a location designated by at least one uniform resource locator by applying a rules set defined by a media editor (col. 3 lines 64 – 65, col. 4 lines 1 – 25).

18. Regarding claim 21, Bull in view of McCallum and Plasek further show where the digital content extractor retrieves the digital content from a location designated by at least one uniform resource locator by using an automated digital content detection system (col. 1 lines 47 – 50, col. 1 lines 55 – 65, col. 4 lines 1 – 25).

19. Regarding claim 23, Bull in view of McCallum and Plasek further show where the structural classifier determines said at least one classification type for the digital content (col. 3 lines 50 - 59).

20. Regarding claim 32, Bull in view of McCallum and Plasek further show where the processor is further configured to interact with a user interface that administers the system (col. 3 lines 27 – 44, col. 7 lines 3 – 9, col. 10 lines 11 – 16 and 30 – 35, col. 14 lines 15 – 17).

21. Regarding claim 35, Bull in view of McCallum and Plasek further show where the processor is further configured to server as an automatic digital content detection system (col. 1 lines 47 – 50, col. 1 lines 55 – 65, col. 4 lines 1 – 25).

22. Claims 3, 22, 24, 26, 29 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum and Plasek as applied to claims 1, 7, 21 and 25 above, and further in view of Lee et al. (6,601,100 B2), hereafter Lee.

23. Regarding claim 3, Bull in view of McCallum and Plasek show claim 1.

Bull in view of McCallum and Plasek do not show computing the number of impressions of the digital content for a web site on the network.

Lee shows computing the number of impressions of the digital content for a web site on the network.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum and Plasek with that of Lee in order to be better able to analyze and understand traffic flow, the way customers navigate from page to page in a site and other information critical for successfully product marketing and sales (Lee, col. 1 lines 55 – 59).

24. Regarding claim 22, Bull in view of McCallum, Plasek and Lee further show a structural detector that locates an XML structure and a feature detector that locates an XML feature within the XML structure (Lee, showing working with XML, col. 9 lines 40 – 52, and Bull, specifically showing analyzing HTML and similar formats, col. 3 lines 50 – 55, as well as locating and parsing for features; col. 3 lines 27 – 50, col. 4 lines 15 – 20).

25. Regarding claim 24, Bull in view of McCallum, Plasek and Lee further show where the user interface further comprises a system account management interface that assists an account manager with creating and modifying an account on the system (Bull, Fig. 1, col. 7 lines 3 – 9, col. 3 lines 27 – 44, col. 10 lines 11 – 16)

a site administration interface that assists the operator with the administration of said at least one network site (Bull, col. 10 lines 30 – 35, col. 14 lines 15 – 17)

a taxonomy administration interface that assists the operator with the administration of the taxonomy data (Bull, col. 3 lines 50 - 59)

a digital content classification interface that assists the media editor with the classification of the digital content (Bull, col. 4 lines 17 – 20, col. 7 lines 50 – 52)

a rate card collection interface that assists the media editor with the administration of the rate card (Bull, col. 10 lines 5 – 10, Lee col. 2 lines 35 – 40).

26. Regarding claim 26, Bull in view of McCallum, Plasek and Lee further show where the processor is configured to retrieve a web page from at least one web site, extract a fragment from the web page and classify the fragment (Lee, col. 4 lines 23 – 26, col. 5 lines 52 – 64 and col. 7 lines 5 – 27).

27. Regarding claim 29, Bull in view of McCallum, Plasek and Lee further show classifying a fragment within the sampling data (Lee, col. 4 lines 23 – 26, col. 5 lines 52 – 64 and col. 7 lines 5 – 27).

28. Regarding claim 33, Bull in view of McCallum, Plasek and Lee further show including uniform resource locator information regarding at least one web site in the traffic data (Lee, col. 4 lines 23 – 26, col. 5 lines 52 – 64 and col. 7 lines 5 – 27).

29. Claims 11 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum and Plasek as applied to claims 7 and 25 above, and further in view of Gabber et al. ("Consistent, Yet Anonymous, Web Access with LPWA, Feb. 1999), hereafter Gabber.

Bull in view of McCallum and Plasek show claim 7.

Bull in view of McCallum and Plasek do not show wherein to mask the user identification data in the traffic data the traffic analysis system replaces the user identification data with a result from processing the user identification data through a cryptographically secure one-way hash function.

Gabber shows wherein to mask the user identification data in the traffic data the traffic analysis system replaces the user identification data with a result from processing the user identification data through a cryptographically secure one-way hash function (pg. 47, "Conclusion", Paragraph 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum and Plasek with that of Gabber in order to utilize a common method of masking data in a secure fashion, a processes for which hashing was explicitly developed.

30. Claims 12, 13 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum, Plasek and Gabber as applied to claims 11 and 27 above, further in view of Lee.

31. Regarding claims 12 and 28, Bull in view of McCallum, Plasek and Gabber show claims 11 and 27.

Bull in view of McCallum, Plasek and Gabber do not show where the user identification data includes a network address or a cookie.

Lee shows where the user identification data includes a network address or a cookie (col. 7 lines 5 –23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek and Gabber with that of Lee in order to utilize a standardized method of identifying users (network addresses) or a container for holding identification data (cookies) as network addresses

were designed to identify where to send data, thus identifying a user, and cookies were designed as a method of storing and sharing information such as identifying information.

32. Regarding claim 13, Bull in view of McCallum, Plasek, Gabber and Lee further show where the summarization data includes a reference to at least one uniform resource locator and a count of the number of requests for said at least one uniform resource locator (Lee, col. 4 lines 23 – 26, col. 7 lines 5 – 27, col. 5 lines 52 – 64).

33. Claims 30 and 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum, Plasek and Lee as applied to claim 29 above, and further in view of Bittinger et al. (5,878,213), hereafter Bittinger.

34. Regarding claim 30, Bull in view of McCallum, Plasek and Lee show claim 29.

Bull in view of McCallum, Plasek and Lee do not show classifying the fragment by analyzing the fragment for uniqueness and adding information to a database regarding the uniqueness of the fragment.

Bittinger shows classifying the fragment by analyzing the fragment for uniqueness and adding information to a database regarding the uniqueness of the fragment (Figs. 3 and 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek and Lee with that of Bittinger in order to provide data reliably and quickly (Bittinger, col. 3 lines 24 – 26).

35. Regarding claim 31, Bull in view of McCallum, Plasek, Lee and Bittinger further show classifying the fragment by detecting a duplicate fragment (Bittinger Figs. 3 and 4).

36. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum and Plasek as applied to claim 25 above, and further in view of Yeager (6,167,402).

Bull in view of McCallum and Plasek show claim 25.

Bull in view of McCallum and Plasek do not show performing integrity monitoring of the sampling data.

Yeager shows performing integrity monitoring of the sampling data (col. 5 lines 15 – 40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek with that of Yeager in order to provide for a fast, efficient and reliable system (Yeager, col. 3 lines 9 – 26).

37. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum and Plasek as applied to claim 35 above, and further in view of Pallmann (6,094,684).

Bull in view of McCallum and Plasek show claim 35.

Bull in view of McCallum and Plasek do not show normalizing the detected HTML or XML into a hierarchical form.

Pallmann shows normalizing the detected HTML or XML into a hierarchical form (col. 35 lines 4 - 29).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek with that of

Pallman in order to ensure data is stored in a standardized format that is easy for other applications and users to access.

38. Claims 16, 17, 37, 44, 48, 50, 53 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum and Plasek as applied to claim 14 above, and further in view of Blumenau

39. Regarding claim 16, Bull in view of McCallum and Plasek show claim 14.

Bull in view of McCallum and Plasek do not show where the simulation includes executing a program referenced by at least one uniform resource locator.

Blumenau shows executing a program embedded in at least one uniform resource locator (col. 20 lines 64 – 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum and Plasek with that of Blumenau in order to provide accurate estimates of page views to advertisers interested in said information for understanding their ads exposures, calculating payment fees and determining said ads effectiveness (col. 1 lines 5 – 40).

40. Regarding claim 17, Bull in view of McCallum, Plasek and Blumenau further show where the program is a JavaScript script, Java applet, a Perl script or a CGI program (Blumenau col. 20 lines 64 – 67).

41. Regarding claims 37, 44, 48, 50, 53 and 54, Bull in view of McCallum, Plasek and Blumenau further show obtaining traffic data from at least one web site on the network, locating user identification in the traffic data and masking the user identification

data to produce clean traffic data (Bull, col. 3 lines 27 – 65, McCallum Figs 1 and 4, col. 5 lines 57 – 63 and col. 8 lines 28 - 35),

computing a number of impressions for the digital content in the clean traffic data including scaling data by a weighting factor to extrapolate global traffic data and retrieving the digital content from the clean traffic data to generate sampling data (Bull Figs. 7, col. 3 lines 45 – 65, col. 4 lines 40 – 45, col. 8 lines 28 – 32; Plasek col. 4 line 12 – col. 5 line 18),

And Blumenau shows generating prevalence estimated for the digital content from the clean traffic data and sampling data and reporting said estimates (col. 1 lines 23 – 25 and 35 – 37, col. 3 lines 10 – 15).

42. Claims 38, 41, 45, 49 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum, Plasek with that of Blumenau as applied to claims 37, 44, 48 and 50 above, and further in view of Lee.

Bull in view of McCallum, Plasek with that of Blumenau show claims 37, 44, 48 and 50.

Bull in view of McCallum, Plasek with that of Blumenau do not show retrieving a web page from at least one web site, extracting a fragment from the web page and classifying the fragment.

Lee shows retrieving a web page from at least one web site, extracting a fragment from the web page and classifying the fragment (col. 4 lines 23 – 26, col. 5 lines 52 – 64 and col. 7 lines 5 – 27).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek and Blumenau with that of Lee in order to be better able to analyze and understand traffic flow, the way customers navigate from page to page in a site and other information critical for successfully product marketing and sales (Lee, col. 1 lines 55 – 59).

43. Claim 39, 40 and 52 rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum, Plasek, Blumenau and Lee as applied to claims 38 and 50 above, and further in view of Gabber.

44. Regarding claims 39 and 52, Bull in view of McCallum, Plasek, Blumenau and Lee show claims 37 and 50.

Bull in view of McCallum, Plasek, Blumenau and Lee do not show replacing the user identification data with a result from processing the user identification data through a cryptographically secure one-way hash function.

Gabber shows replacing the user identification data with a result from processing the user identification data through a cryptographically secure one-way hash function (pg. 47, "Conclusion", Paragraph 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek, Blumenau and Lee with that of Gabber in order to utilize a common method of masking data in a secure fashion, a processes for which hashing was explicitly developed.

45. Regarding claim 40, Bull in view of McCallum, Plasek, Blumenau, Lee and Gabber further show where the user identification includes a network address or a cookie (Lee, col. 7 lines 5 –23).

46. Claims 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum, Plasek, Blumenau and Lee as applied to claim 41 above, and further in view of Bittinger.

47. Regarding claim 42, Bull in view of McCallum, Plasek, Blumenau, Lee show
Bull in view of McCallum, Plasek, Blumenau and Lee do not show analyzing a fragment for uniqueness and adding information to a database regarding the uniqueness of the fragment.

Bittinger shows analyzing a fragment for uniqueness and adding information to a database regarding the uniqueness of the fragment (Figs. 3 and 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek, Blumenau and Lee with that of Bittinger in order to provide data reliably and quickly (Bittinger, col. 3 lines 24 – 26).

48. Regarding claim 43, Bull in view of McCallum, Plasek, Blumenau, Lee and Bittinger further show classifying the fragment by detecting a duplicate fragment (Bittinger Figs. 3 and 4).

49. Claim 46 rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum, Plasek and Blumenau as applied to claim 37 above, and further in view of Yeager.

Bull in view of McCallum, Plasek and Blumenau show claim 37.

Bull in view of McCallum, Plasek and Blumenau do not show performing data integrity monitoring on the sampling data.

Yeager shows performing data integrity monitoring on the sampling data (col. 5 lines 15 – 40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek and Blumenau with that of Yeager in order to provide for a fast, efficient and reliable system (Yeager, col. 3 lines 9 – 26).

50. Claim 46 rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of McCallum, Plasek and Blumenau as applied to claim 37 above, and further in view of Pallmann.

Bull in view of McCallum, Plasek and Blumenau show claim 37.

Bull in view of McCallum, Plasek and Blumenau do not show performing automatic advertisement detection by applying at least one heuristic algorithm to detect advertising within an HTML or XML document and normalizing the detected HTML or XML content in a hierarchical form.

Pallmannn shows performing automatic advertisement detection by applying at least one heuristic algorithm to detect advertising within an HTML or XML document and normalizing the detected HTML or XML content in a hierarchical form (col. 35 lines 4 - 29).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Bull in view of McCallum, Plasek and Blumenau with that of Pallmann in order to ensure data is stored in a standardized format that is easy for other applications and users to access.

Response to Arguments

1. Applicant's arguments filed 10/09/2007 have been fully considered but they are not persuasive.
2. Regarding the rejection made under 35 USC 103, Bull in view of McCallum and Plasek, Applicant argues that Bull does not show the 'receiving traffic data' aspect of claim 1. Specifically, Applicant that 'Traffic data, by its plain and ordinary meaning relates to data about traffic and not data about the content of the traffic.' Applicant bases this on a citation from Bull, which notes logging information about a user's traffic. This argument is not persuasive for the reasons given below.
3. Applicant interprets Bull as merely showing data relating to 'content of the traffic.' However, the passage Applicant is referring to ('Germany travel, the Olympics, Spring Break or even new cars') is cited by Bull as a way of topically orienting traffic (col. 3 line 51). Thus, the section addressed by Applicant is not the extent of 'traffic data' disclosed by Bull, but merely a way of organizing said data. Additionally, Applicant fails to address any other cited section of Bull's disclosure. Bull discloses a great deal more regarding 'traffic data', including:

- a. That said traffic data is 'composed of files and file references' (col. 3 lines 52 – 54)
 - b. That 'the user WWW viewing patterns are recorded' (col. 5 lines 51- 54).
 - c. That 'records will be maintained from user usage of the internet' (col. 5 lines 62 – 64).
 - d. Furthermore, Bull discloses monitoring the 'WWW datastore information which is returned to the user' (col. 7 lines 45 - 46), which would inherently comprise all traffic data received by the user.
 - e. That the 'information being viewed is stored in the lead DataStore' (col. 8 lines 29 – 31).
4. Based on the above citations, as well as Bull's Abstract, and the additional information about 'traffic data' Bull discloses in col. 7 and col. 9, it is clear Bull teaches 'traffic data' as claimed by Applicant.
5. Applicant also argues that dependent claims are patentable for the reasons addressed above. Given that the argument previously addressed was not persuasive, this argument is similarly not persuasive.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Frink whose telephone number is (571)272-9686. The examiner can normally be reached on M-F 7:30AM - 5:00PM EST; off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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John Frink

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A handwritten signature in black ink, reading "Andrew Caldwell". The signature is written in a cursive, flowing style with a large initial "A".

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER